

1 **PROOF OF SERVICE**

2 I am a resident of the State of California, over the age of  
3 eighteen, and not a party to the within action. I am employed by  
4 Law Offices of Maynard and Hogan and my business address is 1475 S.  
Bascom Avenue, Suite 115, Campbell, California 95008. On the date  
set forth below I served the following:

5 **On March 4, 2008, I served the within:**

6 **ANSWER TO COMPLAINT**

7 on the following person(s) in this action:

8 **Thomas N. Stewart III**  
9 **369 Blue Oak Lane**  
10 **2<sup>nd</sup> Floor**  
**Clayton, CA 94517**

11 in the following manner:

12 [X] (BY MAIL) By placing the document(s) listed above in a sealed  
13 envelope with postage thereon fully prepaid, in the United States  
mail at Campbell, California addressed as set forth above.

14 [ ] (BY OVERNIGHT DELIVERY) By placing the document(s) listed  
15 above in a sealed envelope(s) for overnight delivery, in a box or  
16 other facility regularly maintained by an express service carrier,  
or delivered to an authorized courier or driver authorized by that  
express service carrier with delivery fees paid or provided for,  
and addressed as set forth above.

17 [ ] (BY FACSIMILE) By transmitting the document(s) listed above  
18 by facsimile to the offices of the person(s) listed above, at  
facsimile numbers listed above.

19 [ ] (BY PERSONAL DELIVERY) By placing the document(s) listed  
20 above in a sealed envelope and personally delivering the  
document(s) to the person(s) listed above.

21 [ ] (STATE) I declare under penalty of perjury under the laws of  
22 the State of California that the foregoing is true and correct.

23 [X] (FEDERAL) I declare that I am employed in the office of a  
24 member of the bar of this court at whose direction the service was  
made.

25 Executed on March 4, 2008 at Campbell, California.

26 /S/  
27 Patrick J. Whitehorn

28 \\Chris\WP51\DSM\TOUGAS, JAMIE\POS-3-4-08.doc